

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Trustees of the SHEET METAL
WORKERS' LOCAL UNION
NO. 80 PENSION TRUST FUND, et al.,

Plaintiffs,

v.

Case No. 11-CV-15614
HON. GEORGE CARAM STEEH

FISHER ROOFING COMPANY,

Defendant.

_____ /

ORDER GRANTING MOTION FOR SUMMARY JUDGMENT (#9)

On December 22, 2011, plaintiffs filed this action seeking to enforce defendant's contractual obligation under the collective bargaining agreements to pay fringe benefit contributions and other amounts as set forth in an audit for the period of April 2011 to March 2012. On June 21, 2012, plaintiffs filed a motion for summary judgment with supporting affidavits. On June 27, 2012, the court entered a response deadline of July 19, 2012. The deadline has passed and no response was filed. The court finds that oral argument is not necessary. See Local Rule 7.1(f). For the reasons set forth in plaintiffs' motion for summary judgment and the supporting affidavits, plaintiffs' motion for summary judgment is GRANTED. Defendant is liable in the amount of \$76,756.79, consisting of \$63,566.93 in unpaid contributions pursuant to 29 U.S.C. §1132(g)(2)(A), \$1,977.17 in interest on the unpaid contributions pursuant to 29 U.S.C. §1132(g)(2)(B), \$6,356.69 in damages pursuant to 29 U.S.C. §1132(g)(2)(C), \$3,830.00 in attorneys fees and costs

pursuant to 29 U.S.C. §1132(g)(2)(D), and \$1,026.00 in audit costs pursuant to the plan documents.

IT IS SO ORDERED.

Dated: July 31, 2012

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
July 31, 2012, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk